

# EXHIBIT 23



65 Steuben Street, Brooklyn, NY, 11205 | 845.351.0422 | office@greensatchester.com

July 18, 2019

**BY HAND**

Town of Chester  
1786 Kings Highway  
Chester, NY 10918  
Attn: Town Clerk

RECEIVED  
*Jessie Zappala*  
JUL 18 2019  
TOWN CLERK  
CHESTER, NEW YORK

Re: Greens at Chester LLC

Dear Hon. Town Clerk:

I am the Managing Member of the Greens at Chester LLC ("the Greens").

Under applicable law and the final subdivision and site plan approval issued for the Greens' 431-unit fully-approved cluster subdivision in the Town (the "Project"), enclosed is a cash deposit in favor of the Town and on account of the Greens in the sum of \$1,676,979.66. This cash deposit secures the Town's interest in the completion of the public improvements of the Project as itemized by the Town's Consulting Engineer McGoe, Hauser and Edsall.

Despite the Greens having completed more than half of the originally secured public improvements for the Project as estimated by the Town's Engineer, the sum of the cash deposit is the same as the sum of the irrevocable standby letter of credit originally issued in favor of the Town for the account of Arlington Chester, LLC, the Greens' predecessor-in-interest, pursuant to which in July 2014, *inter alia*, the Town Planning Board Chairman executed the final plat for the Project and same was filed with the Orange County Clerk.

In May 2019, the Greens submitted an application for a building permit, dated May 14, 2019. We request that the Town Building Department grant that application and issue the permit applied for.

The enclosed cash deposit is filed without prejudice to all the Greens' rights and remedies in law and equity.

Very truly yours,

  
Jehuda Landau

Encl.

cc: Scott Bonacic, Esq., Town Attorney  
Don Serotta, Planning Board Chairman  
Robert Valentine, Town Supervisor  
James Farr, P.E., Town Building Inspector



**McGOEY, HAUSER and EDSALL  
CONSULTING ENGINEERS P.C.**

RICHARD D. McGOEY, P.E. (NY & PA)  
WILLIAM J. HAUSER, P.E. (NY, NJ & PA)  
MARK J. EDSALL, P.E. (NY, NJ & PA)  
JAMES M. FARR, P.E. (NY & PA)

MAIN OFFICE  
33 Airport Center Drive  
Suite 202  
New Windsor, New York 12553

(845) 567-3100  
fax: (845) 567-3232  
e-mail: mheny@mhepc.com

24 October 2013

Town of Chester  
1786 Kings Highway  
Chester, NY 10918-3013

**ATTENTION: STEVEN M. NEUHAUS, TOWN SUPERVISOR**

**SUBJECT: GREENS AT CHESTER PUBLIC IMPROVEMENT BOND ESTIMATE**

Dear Supervisor Neuhaus:

Our office has received an estimate of probable construction costs prepared by John Petroccione, P.E. for the subject project. The bond utilizes unit costs published by this office for municipal improvements. Based on a review of the estimate, it is recommended that a public improvement security in the amount of \$1,524,526.96 be posted to cover the roadway, drainage, soil erosion sediment control, water and sanitary sewers within the public portions of the subject project. Appropriate inspection fees, as required by the Town, should be posted by the Applicant's Representative based on the public improvement estimate.

Please contact the undersigned should you have any questions, comments or require any additional information regarding this matter.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Patrick J. Hines', written over a horizontal line.

Patrick J. Hines  
Associate

cc: Scott Bonacic, Town Attorney  
Don Serotta, Planning Board Chairman  
John Petroccione, P.E., Applicant's Representative  
Rick Golden, Applicant's Attorney

REGIONAL OFFICES

• 111 Wheatfield Drive • Milford, Pennsylvania 18337 • 570-296-2765 •  
• 540 Broadway • Monticello, New York 12701 • 845-794-3399 •

Project Name: Greens At Chester

Municipality: Town of Chester  
Date: 9/4/2013**PUBLIC IMPROVEMENT UNIT PRICES**

| Description                        | Unit | Unit Cost   | Total Quantity | Total Cost     | Completed Quantity | Completed Cost | Remaining Cost |
|------------------------------------|------|-------------|----------------|----------------|--------------------|----------------|----------------|
| <b>Roadway and Parking Lot</b>     |      |             |                |                |                    |                |                |
| Grade Subgrade in ROW              | SY   | \$ 0.90     | 14481          | \$13,032.90    | \$                 | -              | \$13,032.90    |
| Cut and Chip Trees                 | AC   | \$ 6,500.00 | 3              | \$19,500.00    | \$                 | -              | \$19,500.00    |
| Stump removal and disposal         | AC   | \$ 4,500.00 | 3              | \$13,500.00    | \$                 | -              | \$13,500.00    |
| Erosion Control                    | AC   | \$ 3,200.00 | 3              | \$9,600.00     | \$                 | -              | \$9,600.00     |
| Roadway Subbase (6" Course)        | SY   | \$ 7.75     | 8854           | \$68,618.50    | \$                 | -              | \$68,618.50    |
| Asphalt Pavement (2" top)          | SY   | \$ 15.20    | 8854           | \$134,580.80   | \$                 | -              | \$134,580.80   |
| Asphalt Pavement (4" course)       | SY   | \$ 30.94    | 8854           | \$273,942.76   | \$                 | -              | \$273,942.76   |
| Roadway ROW Topsoil (6") & Seeding | SY   | \$ 13.00    | 4023           | \$52,299.00    | \$                 | -              | \$52,299.00    |
| Roadway As-Builts (50' Wide)       | LF   | \$ 1.10     | 2650           | \$2,915.00     | \$                 | -              | \$2,915.00     |
| Concrete Curbbing                  | LF   | \$ 30.00    | 5292           | \$158,760.00   | \$                 | -              | \$158,760.00   |
| 5' Wide Concrete Sidewalk          | LF   | \$ 47.00    | 2493           | \$117,171.00   | \$                 | -              | \$117,171.00   |
| <b>Drainage</b>                    |      |             |                |                |                    |                |                |
| Catch Basin                        | EA   | \$ 3,600.00 | 26             | \$93,600.00    | \$                 | -              | \$93,600.00    |
| Stormwater Pipe (HDPE- 15")        | LF   | \$ 55.00    | 1021           | \$56,155.00    | \$                 | -              | \$56,155.00    |
| Stormwater Pipe (HDPE- 18")        | LF   | \$ 68.00    | 733            | \$49,844.00    | \$                 | -              | \$49,844.00    |
| End Section (HDPE)                 | EA   | \$ 600.00   | 3              | \$1,800.00     | \$                 | -              | \$1,800.00     |
| <b>Water</b>                       |      |             |                |                |                    |                |                |
| Watermain (8")                     | LF   | \$ 68.00    | 1360           | \$92,480.00    | \$                 | -              | \$92,480.00    |
| Gate Valve (8")                    | EA   | \$ 1,700.00 | 12             | \$20,400.00    | \$                 | -              | \$20,400.00    |
| Hydrant Assembly                   | EA   | \$ 5,200.00 | 2              | \$10,400.00    | \$                 | -              | \$10,400.00    |
| <b>Sewer</b>                       |      |             |                |                |                    |                |                |
| Sewer Main (PVC-8")                | LF   | \$ 68.00    | 3166           | \$215,288.00   | \$                 | -              | \$215,288.00   |
| Sewer PVC Force Main               | LF   | \$ 68.00    | 480            | \$32,640.00    | \$                 | -              | \$32,640.00    |
| Sewer Manholes                     | EA   | \$ 4,000.00 | 22             | \$88,000.00    | \$                 | -              | \$88,000.00    |
| <b>Other</b>                       |      |             |                |                |                    |                |                |
| Concrete Monuments                 | EA   | \$ 145.00   | 23             | \$3,335.00     | \$                 | -              | \$3,335.00     |
| Street Signs                       | EA   | \$ 250.00   | 15             | \$3,750.00     | \$                 | -              | \$3,750.00     |
| <b>Total:</b>                      |      |             |                | \$1,524,526.96 | \$                 | -              | \$1,524,526.96 |
| <b>10% Contingency</b>             |      |             |                | \$152,452.70   |                    |                |                |
| <b>Bond Estimate=</b>              |      |             |                | \$1,676,979.66 |                    |                |                |

**GREENS AT CHESTER LLC**  
65 STEUBEN STREET  
BROOKLYN, NY 11205

**CHASE**

JPMORGAN CHASE BANK  
1-2/210

437

7/18/2019

PAY TO THE  
ORDER OF

Town of Chester

\$\*\*1,676,979.66

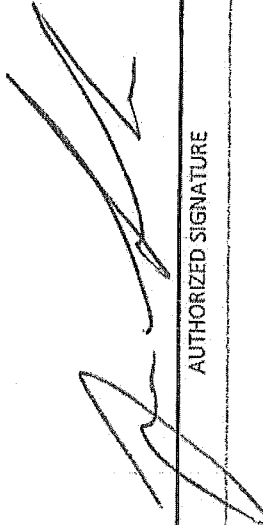
One Million Six Hundred Seventy-Six Thousand Nine Hundred Seventy-Nine and 66/100\*\*\*\*\*  
DOLLARS

Town of Chester  
1786 Kings Highway  
Chester, NY 10918

MEMO

PUBLIC IMPROVEMENT BOND

AUTHORIZED SIGNATURE



MP

**GREENS AT CHESTER LLC**

Town of Chester

7/18/2019

437

1,676,979.66

RECEIVED

JUL 18 2019

TOWN CLERK  
CHESTER, NEW YORK